



PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AF/GP 373 3#  
5-13-99  
#29

In re application of: NIKOLAI AFANASENKO ET AL.  
Serial No.: 08/646,213 Group No.: 3733  
Filed: May 7, 1996 Examiner: J. CLARK  
For: DEVICE FOR TREATMENT OF PATIENTS WITH DISTURBED  
POSTURE AND MOTOR ACTIVITY

RECEIVED

MAY 06 1999

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Group 3700

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed  
November 3, 1998 finally rejecting claims 11 to 13.

The items checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of

☐ other than a small entity

☒ small entity

Verified statement

☐ attached

☒ already filed on February 15, 1994.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

☒ small entity \$150.00

☐ other than a small entity \$300.00

Notice of Appeal fee due \$ 150.00

**3. EXTENSION OF TERM**

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of § 1.136 for patent applications 37 CFR 1.191(d). (But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings.)

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: April 29, 1999

Ingrid Mittendorf

(Type or print name of person mailing paper)

(Signature of person mailing paper)

05/05/1999 DVUONG 00000026 08646213

01 FC:219  
02 FC:217

150.00 OP  
435.00 OP

(Notice of Appeal from the Primary Examiner to Board - Page 1 of 3)

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a)   X   Applicant petitions for an extension of time under 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<u>  </u> one month	\$ 110.00	\$ 55.00
<u>  </u> two months	\$ 380.00	\$190.00
<u>  X  </u> three months	\$ 870.00	\$435.00
<u>  </u> four months	\$1,360.00	\$680.00
		Fee \$ <u>435.00</u>

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for        month has already been secured and the fee paid therefor of \$        is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 435.00

or

- (b)    Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee   \$ 150.00  
Extension fee (if any)   \$ 435.00

TOTAL FEE DUE \$ 585.00

5. FEE PAYMENT

- X   Attached is a check in the sum of \$ 585.00  
   Charge Account No.            the sum of \$             
A duplicate of this transmittal is attached.